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| POLICY NO                         | CP/GOV-3104   |                      |
| POLICY                            | ELECTED MEMBER APPOINTMENT TO EXTERNAL COMMITTEES   |                      |
| RESPONSIBLE DIRECTORATE           | Governance  |                      |
| RESPONSIBLE OFFICER               | Senior Governance and Risk Officer  |                      |
| COUNCIL ADOPTION                  | Date: 29 March 2016   | Resolution No: 11312 |
| REVIEWED/MODIFIED                 | Date:   | Resolution No:       |
|                                   | Date:   | Resolution No:       |
| REVIEW DUE                        | Date: Insert Month and Year for next review – 4 years maximum, only make yearly review if deemed absolutely necessary, best practice is 2 years |                      |
| LEGISLATION                       | Local Government Act 1995   |                      |
| RELATED POLICIES                  | Code of Conduct for Council Members, Committee Members and Employees  |                      |
| RELATED ORGANISATIONAL DIRECTIVES | Nil   |                      |

#### PURPOSE:

To provide guidance for a consistent approach and to ensure that Council appointed delegates to external committees do not compromise or commit Council on issues of mutual interest to both organisations where it is known Council has, or may in the future have, a formal position on a matter under consideration by the external committee. To provide clarity on the reporting requirements of external committee delegates to Council.

#### DEFINITIONS:

None required.

#### POLICY STATEMENTS:

Council recognises that it is important for it to be represented on various external committees to ensure that the interests of the community are able to be considered.

1. Council will formally appoint delegates to external organisations at the same meeting as it appoints memberships to its internal Committees following each Council election.
2. Council appointed delegates to external committees or organisations may provide input and vote on matters under consideration, provided that their input is not, or could be, in conflict with a position of Council and is otherwise considered by the delegate to be in the best interest of the Shire of Wyndham East Kimberley.
3. Where an issue, or issues, under consideration by an external committee or organisation is known to be, or could be, in conflict with a formal position of Council, it is the responsibility of the Council appointed delegate to present the formal Council position to the committee or organisation at which he or she is representing Council.
4. In cases where a matter under consideration by the external committee or organisation is known in advance and is likely to be of specific interest to Council, the Council appointed delegate should notify the Chief Executive Officer (CEO) of

the matter immediately, and prior to the meeting at which the matter is to be discussed, for advice.

5. Where, in the opinion of the CEO, the matter is of a politically sensitive nature, the CEO shall refer the matter to the Shire President to, if appropriate, make a statement on behalf of the Council.
6. Where the Shire President speaks on behalf of Council on an issue pursuant to sub-clause (4) above, this position shall be made known to the Council appointed delegate to convey to the relevant meeting at which the issue is to be considered.
7. Should an issue arise at or during a meeting of which no previous indication or notice was given, and which is, or could be, of interest to the Council, the Council appointed delegate should inform the meeting of the fact and refrain from formally participating in any outcome associated with the issue or committing Council, or presenting an opinion on the matter, on behalf of Council.
8. Where a Council appointed delegate to an external committee or organisation is uncertain whether an item or issue raised at a meeting of the committee or organisation is, or is likely to be, an issue of interest to Council, the delegate should preface any remarks or action taken in the role of Council delegate that, in the absence of any formal position adopted by the Council in relation to the matter, the comments or other participatory action by the delegate are provided to the best of the delegate's knowledge as being in the best interests of the Shire of Wyndham East Kimberley, but may be subject to being amended or overruled in the future, by decision of Council.
9. Any issues of significance will be brought to the attention of fellow Councillors as soon as is practical following a meeting.
10. In addition to reporting on issues as they arise, the Council appointed delegate will provide a least one summary status report over a 12 month period in relation to the external committee. A template document will be provided.
11. The summary status report should contain, at least, the following items:
  - a. The purpose of the committee/organisation
  - b. The activities undertaken over the previous 12 months
  - c. The relevance of the committee/organisation to Council
  - d. Any major issues which Council needs to be aware of in relation to the activities of the committee/organisation.
12. The summary status report is to be presented to Council at the November Ordinary meeting of Council.

#### **EXPLANATORY NOTES:**

Legislative reference: Local Government Act 1995 s2.8, 1(d) in respect to the Role of the President being able to speak on behalf of the local government.

#### **RISK:**

**Risk:** Failure to comply with legislative requirements leading to damage of reputation and/or financial loss.

**Control:** Review policies and procedures in accordance with review schedule.